Remarks

Introduction

Claims 1 and 2 are pending in the application.

The Examiner rejected claims 1 and 2 under 35 U.S.C. § 102(e) as being anticipated by Chmaytelli et al. U.S. Patent No. 6,542,729 B1 (hereinafter "Chmaytelli"). The Examiner noted that certain trademarks are used in the application and suggested that these trademarks be presented in a revised format.

Applicants have proposed amendments to the specification and drawings to correct certain typographical errors, to present the trademarks in a revised format, and to correct inconsistencies between the specification and drawings. Applicants have also enclosed a Supplemental Application Data Sheet and a Supplemental Declaration.

The Amendments to the Specification

Applicants have proposed amending the specification to correct certain typographical errors, to present the trademarks in a format set forth in the MPEP, and to correct inconsistencies between the specification and drawings. These proposed amendments are fully supported and justified by the original specification and drawings. No new matter has been added.

More particularly, Applicants propose amending the application as set forth in the following table:

Page(s), line(s)	Change From	Change To	Justification
Page 1, lines11-12	09/___,___; and 09/___,___; 09/___,___; and 09/___,___	09/589,496; 09/589,495; 09/589,427; and 09/589,501	Clerical/Typographical
Page 5, line 16	Kerberos	Kerberos®	Typographical
Page 5, line 17	Schroeder	Schroeder,	Typographical
Page 6, line 6	Kerberos, can verifies	Kerberos® authentication mechanism, can verify	Typographical
Page 6, line 10	Kerberors	the Kerberos®	Typographical

Page(s), line(s)	Change From	Change To	Justification
		authentication mechanism	
Page 6, line 17	has	have	Typographical
Page 8, line 13	develop:	develop	Typographical
Page 8, line 14	of bandwidth;	of: bandwidth;	Typographical
Page 10, line 1	client	client,	Typographical
Page 12, line 5	Java	Java®	Typographical
Page 12, line 6	Java	Java®	Typographical
Page 13, line 14	resources	resource	Typographical
Page 13, line 15	by resource	by the resource	Typographical
Page 14, line 13	accessing into a resource	accessing a resource	Typographical
Page 14, line 13	affects	effects	Typographical
Page 16, line 14	one or	one or more	Typographical
Page 16, line 17	are determined, by e.g,	is determined by, e.g.,	Typographical
Page 24, line 1	below, how	below, describes how	Typographical
Page 31, line 11	Java	Java®	Typographical
Page 33, line 6	Linux ®	Linux®	Typographical
Page 33, line 6	RSA	RSA®	Typographical
Page 36, line 9	a issuing	an issuing	Typographical
Page 38, line 15	client R1	client C1	Typographical (*See* Page 38, lines 13-14. There is no client R1. The client being discussed is client C1.)
Page 47, line 11	one or components	one or more components	Typographical
Page 47, line 13	resource	resources	Typographical
Page 47, line 15	determined, by e.g	determined by, e.g.,	Typographical
Page 47, line 17	components can	components, can	Typographical
Page 47, line 17	determined, based	determined based	Typographical
Page 48, line 5	client	client,	Typographical
Page 48, line 9	The below Sections IVb1-3 illustrate	Section IV, parts A-C, below, illustrate	Typographical
Page 48, line 10	namely control	namely, control	Typographical
Page 48, line 10	price control,	prince control, and	Typographical
Page 49, line 16	depicts	depict	Typographical
Page 50, line 2	entering in	entering into	Typographical
Page 50, line 6	an attackers	an attacker's	Typographical
Page 53, line 8	turns,	turn,	Typographical

Page(s), line(s)	Change From	Change To	Justification
Page 54, line 3	achieve	achieved	Typographical
Page 54, line 15	mink	mint	Typographical
Page 54, line 17	However,	However, in	Typographical

As indicated in the table above, applicants have proposed amending the specification to identify trademarks with the symbol ®, rather than presenting the trademarks in all uppercase letters. This format was used in order to be consistent with trademarks already identified in this manner elsewhere in the specification.

Applicants respectfully request that the Examiner enter these proposed amendments to the specification.

The Amendments to the Drawings

Applicants propose amending FIGS. 1, 3 and 5B to correct typographical errors in each. More particularly, in FIG. 1, applicants propose adding a block to the drawing representing "domain V" that is referred to in the specification at page 25, line 9. In FIG. 3, applicants propose changing the reference numeral indicated for the "Mint Bank" from 24 to 124. This change is supported by the specification at page 40, lines 5-7. In FIG. 5A, applicants propose changing the word "attacked" to "attack" in the box identified by reference numeral 164. This proposed change is to correct a typographical error, and is supported by the specification at page 44, lines 6-8. Applicants also propose amending FIG. 5B by deleting the word "the" from the box identified by reference numeral 166. This proposed change is to correct a typographical error, and is supported by the specification at page 44, lines 8-9. No new matter would be added by these proposed amendments.

In accordance with 37 C.F.R. § 1.121, replacement sheets of the drawings containing FIGS. 1, 3, and 5B, as well as the other figures, are enclosed herewith.

Applicants respectfully request that the Examiner enter these amendments to the drawings.

The Supplemental Data Sheet and Supplemental Declaration

Pursuant to 37 C.F.R. §1.76(c), applicants submit herewith a Supplemental Application Data Sheet to update the respective addresses of inventors Yechiam Yemini and Apostolos Dailianas. A marked-up version of the Supplemental Application Data Sheet, indicating the addresses that have been updated, is also enclosed.

Additionally, pursuant to 37 C.F.R. §1.67(a)(2), applicants submit herewith a Supplemental Declaration executed by inventor Yechiam Yemini. The Supplemental Declaration is intended to overcome any defect in the Declaration submitted on October 2, 2000 (in response to the Notice to File Missing Parts of August 28, 2000), which contains a correction of the street address of inventor Yechiam Yemini below his signature. As set forth in 37 C.F.R. §1.67(a)(2), because the deficiency in the original Declaration only relates to inventor Yechiam Yemini, the Supplemental Declaration need only be signed by this inventor.

The Rejection Under 35 U.S.C. § 102(e)

The Examiner rejected claims 1 and 2 under 35 U.S.C. § 102(e) as being anticipated by Chmaytelli. The Examiner's rejection is respectfully traversed.

Generally speaking, the invention claimed in claims 1 and 2 is methods for monitoring accesses to a resource in an electronic system, wherein access to the resource is based on payments in electronic security value units. As recited in the specification at page 26, lines 20-21:

> The electronic security value units may be viewed as a type of currency which is used to pay for access from a security point of view.

As described throughout applicants' specification, in order to gain access to a resource, this "currency" is given in exchange for access to the resource.

Unlike the claimed invention, however, Chmaytelli discusses a technique for minimizing fraudulent usage of a mobile telephone in which usage of the telephone is monitored, not payments for that usage. As recited in Chmaytelli at column 1, line 65 through column 2, line 6:

> The [Chmaytelli] system accumulates data regarding an authorized user's prior usage of a mobile telephone. The system also accumulates data regarding a current user's usage of the mobile. The system then analyzes the statistical variation in usage between the authorized user's prior usage and the current user's usage. The mobile telephone is deactivated if the variation in usage exceeds a predetermined threshold.

Nowhere in Chmaytelli does it discuss that its system "detects patterns of payments for said resource in electronic security value units" as required by the claims. Rather, Chmaytelli simply discusses tracking usage. In fact, because the fraud reduction software discussed in Chmaytelli is executed within a mobile telephone (see Chmaytelli, column 3, lines 59-65), it is obvious that there are no patterns of payments to be detected within the mobile telephone by Chmaytelli's algorithm.

> In rejecting the claims, the Examiner has stated that:

> The resource taught in Chmaytelli would be the mobile phone accessing the mobile phone network. Based on that information, the payments patterns are related to the cost of placing a call from your calling area, placing an international/long distance call, or based on the duration of the call. Mobile phones pay to use the mobile phone network based on where the call is made from, where it is going, and the duration of the call.

Office Action, page 3, lines 6-9. Contrary to the Examiner's assertion, however, Chmaytelli does not show that "electronic security value units" as defined in the specification are paid for "the mobile phone accessing the mobile phone network." Rather, Chmaytelli merely states that its software monitors usage of the mobile telephone. See. e.g., Chmaytelli, column 1, line 65 through column 2, line 6.[1] In fact, it is clear from Chmaytelli that no such payments are being made to use mobile telephone systems because a problem that it is specifically attempting to address is the fact that "[t]he carrier is exposed to the risk of being unable to collect any compensation for the use of its system, increasing its overhead with respect to all legal calls" (Chmaytelli, column 1, lines 26-28). Thus, it is clear that Chmaytelli fails to show "detecting patterns of payments ... in electronic security value units" as required by the claims.

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[1] "The system accumulates data regarding an authorized user's prior usage of a mobile telephone. The system also accumulates data regarding a current user's usage of the mobile. The system then analyzes the statistical variation in usage between the authorized user's prior usage and the current user's usage. The mobile telephone is deactivated if the variation in usage exceeds a predetermined threshold."

It is axiomatic patent law that, in order to be the basis for a proper rejection under 35 U.S.C. § 102, a reference must show <u>each and every element</u> of the claimed invention. In this case, because Chmaytelli does not show "detecting patterns of payments ... in electronic security value units" as required by the claims, the rejection is improper.

Accordingly, for at least the reasons set forth above, applicants respectfully request that the rejection of the claims be withdrawn.
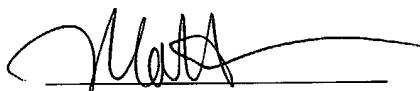
Petition for Extension of Time

Applicants have submitted herewith a petition for a three-month extension of time for responding to the Office Action mailed on December 24, 2003. The Director is hereby authorized to charge any additional fees which may be required for this response, or credit any overpayment, to deposit account no. 08-0219.

Conclusion

For at least the reasons set forth above, applicants respectfully submit that this application, if amended as proposed, is in condition for allowance. Reconsideration and prompt allowance of the application are respectfully requested.

Respectfully submitted,

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Date: 6/21/04

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